

Application No.: 10/531,817
Amendment Dated: July 14, 2009
Reply to Office Action of: April 14, 2009

MTS-3550US

Remarks/Arguments:

Claims 17-21 are pending and rejected in the application. Claims 17-21 have been amended. No new matter has been added. Accordingly, claims 17-21 are presented for reconsideration.

On page 2, the Official Action rejects claims 17-21 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Specifically, the Examiner states that the specification does not describe the control device directly controlling the stopping of the supply of power. Applicants respectfully disagree with the Examiner. Applicants, however, have deleted the "wherein clause" relating to this feature at the end of both claims 17 and 19 in order to expedite prosecution.

On page 3, the Official Action rejects claims 17-21 under 35 U.S.C. § 102(b) as being anticipated by Tadayuki (JP 08-329469). It is respectfully submitted, however, that the claims are patentable over the art of record for at least the reasons set forth below.

Applicants' invention, as recited in claim 17, includes features which are neither disclosed nor suggested by the art of record, namely:

... a memory recording unit which acquires an information for adjustment processing ... and records the acquired information in said memory ...

... a transmitting unit which transmits the information for adjustment processing ... to said drive device ...

... an acquiring unit which acquires the information for adjustment processing transmitted from said control device ...

... a buffer recording unit which records the acquired information for adjustment processing as a second adjustment information in said volatile buffer memory ...

... wherein said acquiring unit is configured to acquire the information for adjustment processing transmitted from said control device when recording or replaying is resumed after supply of power to

said drive device is suspended. (Emphasis Added)

Claim 17 relates to information stored in the memory of a control device which is transmitted and stored in the buffer memory of a drive device. The drive device acquires the information from the control device when recording or replaying is resumed after the supply of power to the drive device is suspended. Support for these features can be found on pages 19, 25 and 26 of the originally filed application and in Figs. 2 and 5. No new matter has been added.

On pages 3 and 4 of the Official Action, the Examiner is interpreting Tadayuki's memory 36 as the memory in Applicants' control device and is interpreting Tadayuki's memory 47 as the buffer memory in Applicant's drive device. Tadayuki's memories 36 and 47 are shown in Fig. 1, and furthermore described in paragraphs 22 and 77. Applicants, however, respectfully disagree with the Examiner's interpretation. Specifically, Tadayuki's memory 47 stores a recording parameter, whereas memory 36 stores test data (memories 36 and 47 do not store the same data). This feature is at least supported in paragraphs 22 and 77 where Tadayuki suggests memory 47 stores parameter information and memory 36 stores test data ("*memory 47 was is a memory measure which measures the recording parameter used when recording the above-mentioned data signal ... memory 36, and the test data memorize by the memory 36 is read*"). Thus, the test data stored in memory 36 is not acquired from memory 47, or visa versa (memories 36 and 47 do not exchange data).

On page 4 of the Official Action, the Examiner also suggests that paragraph 81 of Tadayuki teaches a suspension of power (ON/OFF operation). Tadayuki, however, does not suggest either memories 36 or 47 acquiring information after the suspension of power (after the OFF operation).

Applicants' claim 17 is different than Tadayuki because the buffer memory in a drive device acquires the adjustment information from a memory device in the control device when recording or replaying is resumed after supply of power to the drive device is suspended ("*... a memory recording unit which acquires an information for adjustment processing ... and records the acquired information in said memory ... a transmitting unit which transmits the information for adjustment processing ... to said drive device ... an acquiring unit which acquires the information for adjustment*").

processing transmitted from said control device ... a buffer recording unit which records the acquired information for adjustment processing as a second adjustment information in said volatile buffer memory ... wherein said acquiring unit is configured to acquire the information for adjustment processing transmitted from said control device when recording or replaying is resumed after supply of power to said drive device is suspended").

As shown in Fig. 2, the information for adjustment processing stored in buffer 102 of recorder 100 (control device) is transmitted and stored in recording replaying condition storage buffer 112 of drive 110 (drive device). Thus, the adjustment processing information stored in memory 102 is acquired by buffer 112. The communication between recorder 100 and drive 110 is shown in the flow chart of Fig. 5 as step S300. This feature is also supported in on page 19 of Applicants' specification ("*drive controller 123 searches a disk information list 200. When it is found as a result that the ID contained in the acquired disk identification information ... is present ... the drive controller 123 transmits the recording and replaying conditions 222 described in the ID list 212 to the optical disk drive 110, the optical disk drive 110 sets thus received recording and replaying conditions 222 in the recording and replaying condition storage buffer 112*").

Furthermore, when supply of power to the optical disk drive 110 is resumed (after a suspension of power), then the acquiring unit of the optical disk drive 110 acquires the adjustment information from buffer 102 and stores it in buffer 112. This feature is at least supported on page 25, line 10 to page 26, line 10 of the specification ("*while supply of power to the optical disk drive 110 is suspended ... supply of electric power to the disk information storage buffer 102 is not stopped ...In consequence, even though the recording and replaying conditions are not stored in buffer 112 ... when optical disk drive 110 changes from the standby state to the recording/replaying state ... controller 114 can immediately use those recording and replaying conditions*"). Thus, optical disk drive 110 acquires the information from memory 102 and stores the information in buffer 112 after power has resumed.

Accordingly, for the reasons set forth above, claim 17 is patentable over the art of record.

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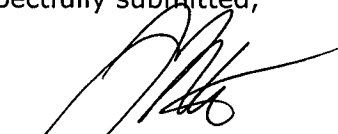
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Claim 19 has been similarly amended to claim 17. Thus, claim 19 is also patentable over the art of record for at least the reasons set forth above.

Dependent claims 18 and 20-21 include all of the features of the claims from which they depend. Thus, these claims are also patentable over the art of record for the reasons set forth above.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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